



C-14J

Brent W. Vincent  
Bryan Cave LLP  
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Chicago, Illinois 60601-3315

Re: CERCLA 106(a) Administrative Order to Frederick  
Carus for the Matthiessen and Hegeler Zinc Site

Dear Mr. Vincent:

Thank you for your letter dated August 20, 2009 regarding your client, Frederick Carus's, response to the above-referenced matter, which was received on August 24, 2009.

As you know, U.S. EPA found that certain conditions at the Matthiessen and Hegeler Zinc Site presented an imminent and substantial threat to human health and the environment in the form of a release or potential release of friable asbestos and metals. A formal Notice Letter regarding this matter was issued to your client on June 16 2009 which he received on June 22 2009. An emergency Administrative Order was issued to your client on July 15 2009 and received by your client on July 27, 2009. The Administrative Order required a written response from your client indicating his willingness to comply with the terms of the Order on or before four business days of receipt of the Order, or July 31, 2009. Your August 20 letter was the first written response to the Order received by U.S. EPA.

U.S. EPA appreciates your client's indicated willingness to comply with the Order. Unfortunately it comes too late. Not only is his response well beyond the deadline required by the Order, but, perhaps more importantly, U.S. EPA, in light of the lack of a timely response from your client, has already begun to implement the required actions and incur response costs.

U.S. EPA looks forward to your client's future cooperation at the Site.

Sincerely yours,

Larry L. Johnson  
Associate Regional Counsel

bcc: Demaree Collier  
Theresa Holz